

**21805. Misbranding of Thor's Vitamin Compound. U. S. v. 72 Bottles of Thor's Vitamin Compound. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 29920. Sample no. 32533-A.)**

Examination of the drug preparation, Thor's Vitamin Compound, disclosed that it contained no medicinal agents capable of producing certain curative and therapeutic effects claimed on the carton label and in a circular shipped with the article.

On March 16, 1933, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the district court a libel, and on May 16, 1933, an amended libel, praying seizure and condemnation of 72 bottles of Thor's Vitamin Compound at Tampa, Fla., alleging that the article had been shipped in interstate commerce on or about March 15, 1933, by the Thor Pharmacal Co., from Atlanta, Ga., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article by this Department showed that it consisted essentially of yeast, phenolphthalein, nux vomica, and compounds of iron, copper, manganese, calcium, magnesium, sodium, and potassium. Biological examination showed that the article was worthless as a source of vitamin D.

It was alleged in the libel as amended that the article was misbranded in that certain statements appearing on the carton and in a circular shipped with the article, regarding its effectiveness in the treatment of impoverished blood, undernourished conditions, general systemic depletion, thin blood, acid stomach, gas, constipation, bilious attacks, nervousness, weakness, loss of weight, sleeplessness, rundown, anaemic condition, violent headaches from indigestion, autointoxication, generally depleted anaemic condition, and run-down system, were false and fraudulent.

On January 3, 1934, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

*M. L. WILSON, Acting Secretary of Agriculture.*

**21806. Adulteration and misbranding of granular effervescent sodium phosphate, elixir three bromides, fluidextract of ipecac, tincture of belladonna, and aromatic spirit of ammonia. U. S. v. Hance Bros. & White, Inc. Plea of nolo contendere. Fine, \$75. (F. & D. no. 30218. Sample nos. 10749-A, 11427-A, 21273-A, 21274-A, 21631-A.)**

This case was based on interstate shipments of granular effervescent sodium phosphate, fluidextract of ipecac, tincture of belladonna, and aromatic spirit of ammonia, products which are recognized in the United States Pharmacopoeia and which were labeled as being of pharmacopoeial standard; also of a shipment of elixir three bromides, a product which is recognized in the National Formulary and which was labeled as being a formulary standard. Analyses of the articles showed that they failed to conform to the tests laid down in the said authorities.

On December 27, 1933, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Hance Bros. & White, Inc., Philadelphia, Pa., alleging shipment by said company in violation of the Food and Drugs Act, on or about January 5, January 16, and February 4, 1932, from the State of Pennsylvania into the State of New Jersey, of quantities of granular effervescent sodium phosphate; on or about March 3 and November 22, 1932, from the State of Pennsylvania into the State of New York, of quantities of elixir three bromides, fluidextract of ipecac, and tincture of belladonna; and on or about January 10, 1933, from the State of Pennsylvania into the State of Connecticut, of a quantity of aromatic spirit of ammonia, which was adulterated and misbranded. The articles were labeled in part, variously: "I.D.A. Granular Effervescent Sodium Phosphate \* \* \* U.S.P. Strength \* \* \* Packed for Independent Druggists Alliance Distributing Company, Chicago, Ill."; "Elixir Three Bromides N.F. \* \* \* Hance Brothers & White, Incorporated"; "Fluidextract Ipecac U.S.P. Each 100 Cc contains not less than 1.35 Gms. or more than 1.65 Gms. of Ether Soluble Alkaloids of Ipecac"; "Tincture Belladonna U.S.P.-X. \* \* \* Each 100 Cc. contains not less than .027 gm. or more than .033 gm. of the alkaloids of Belladonna Leaves"; "Aromatic Spirit Ammonia U.S.P.-X."

It was alleged in the information that the elixir three bromides was adulterated in that it was sold under a name recognized in the National Formulary,